



Serial No.: 09/786,049

Docket No.: 1086.1141

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Mitsuru SATO, et al..

Group Art Unit: 2186

Serial No. 09/786,049

Examiner: Hetul B. Patel

Confirmation No.: 6861

Filed: June 18, 2001

For: CACHE DEVICE AND CONTROL METHOD FOR CONTROLLING CACHE MEMORIES  
IN A MULTIPROCESSOR SYSTEM (as amended)

**COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE**

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance (Statement) as part of Notice of Allowance And Fee(s) Due mailed February 17, 2005.

MPEP 1302.14 states in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible effects.

It is submitted that the Examiner's Statement might not meet the standards of MPEP 1302.14 and instead, raises "possible misinterpretations... and possible estoppel effects" (MPEP 1302.14) concerning the allowed claims, as follows:

The Statement does not quote an entire apparatus or method (as the case may be) type claim. Also, the Statement treats as same an apparatus and method type claim for reciting an allowable feature. Therefore, although the prior art might indeed fail to disclose or suggest a

patentably distinguishing feature of the claimed invention as provided in the Statement, there may be additional reasons for allowance that have not been specifically cited in the Statement because of not quoting entire claims and/or not identifying several separate types (apparatus, method) of claims to which the Statement should also relate.

Also, the Statement provides that the dependent claims are allowable for the same reason as set forth for the independent claims. However, each claim speaks for itself as to what features are included therein and are their own best evidence as to the reasons for allowance of same. For example, the dependent claims recite their own patentably distinguishing features for the reasons raised during prosecution, for example (without limitation), for dependent claim 2.

Therefore, Applicants respectfully note that there may be additional reasons for allowance that have not been specifically cited in the Statement, and which may apply to the various allowed claims, in addition to or instead of the cited reasons in the Statement. Applicants respectfully suggest that notwithstanding the Statement, it is believed that each of the allowed apparatus/method claims, including each dependent claim, is patentable in its own right and/or for other reasons raised during the prosecution and/or explained in the specification of this application. All of the apparatus/method claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Regarding the Statement (other than those discussed above), Applicant expressly reserves the right to challenge any errors that may later be identified in any judicial or administrative proceeding.

Respectfully submitted,  
STAAS & HALSEY LLP

Date: May 10, 2005

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